

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

SEP - 9 2013

David J. Bradley, Clerk

United States of America

v.

Arturo HERNANDEZ Jr.  
(YOB: 1989)Case No. 11-13-1619-MDefendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 3, 2013 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:*Code Section*

18 U.S.C. Title 751(a)

*Offense Description*

Knowingly ESCAPE from federal custody, that is, Mid-Valley Residential Reentry Center located in Edinburg, Texas, in which he was lawfully confined at the direction of the Attorney General by virtue of a judgment and commitment of the United States District Court for the Southern District of Texas for the Possession with Intent to Distribute 181.6 Kilograms of Marijuana.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.*Approved to file  
T. J. Leonard  
Asst U.S. Attorney**Michael Wesner*

Complainant's signature

Michael Wesner, Deputy U.S. Marshal

Printed name and title

Sworn to before me and signed in my presence.

Date: September 9, 2013City and state: McAllen, Texas*Peter E Ormsby*

Judge's signature

*Peter E Ormsby*  
U.S. Magistrate Judge

Printed name and title

Attachment "A"

On May 6<sup>th</sup>, 2009, United States Immigration and Customs Enforcement Agency arrested Arturo HERNANDEZ Jr. for the possession with intent to distribute 181.6 Kilograms of marijuana. On 8/25/2009 HERNANDEZ pled guilty to the charge of *did knowingly and intentionally possess with the intent to distribute a controlled substance*. The controlled substance involved was more than 100 kilograms but less than 1,000 kilograms, that is, approximately 181 kilograms of marijuana, a schedule I controlled substance. In violation of title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2. On 3/8/2010, in case number 7:09-cr-635 HERNANDEZ was sentenced to 60 months custody in the Bureau of Prisons by United States Chief District Judge Ricardo H. Hinojosa.

On July 30, 2013, HERNANDEZ was transferred to the Mid-Valley Residential Reentry Center in Edinburg, Texas to finish the remainder of his sentence that was to conclude on October 6, 2013. On September 3, 2013, HERNANDEZ signed out of the Mid-Valley Residential Reentry Center on a job search pass. He had a scheduled return time to the Mid-Valley Residential Reentry Center of 5:00 PM but failed to come back, or notify staff of his whereabouts. HERNANDEZ was placed on escape status, and was arrested by Mission Police Department in Mission, Texas on September 6, 2013 on charges of public intoxication.